APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,115	06/27/2001	Geoffrey Huang	CISCP204	7433

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EXAMINER
CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/894,115	HUANG ET AL.
	Examiner	Art Unit	
	David G. Cervetti	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 September 2005</u>.
2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-45</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-45</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>18 January 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments filed September 19, 2005, have been fully considered but they are not persuasive.

2. Claims 1-45 are pending and have been examined. Claims 2-3 and 16 have been cancelled.

Response to Amendment

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 1, 2005 and Applicant's amendment filed on September 19, 2005 have been entered.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5.   Claim 40 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6.   Claim 40 recites the limitation " at least one interface for communicating with at least one network device, **wherein the first control message corresponds to a security protocol control message** " in lines 5-6 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8.   **Claims 1, 3-7, 9-14, 16-19, 21-26, 28-34, 36-40, and 42-45 are rejected under**

35 U.S.C. 102(b) as being anticipated by Maughan et al. (NPL "Internet Security

Association and Key Management Protocol (ISAKMP)", hereinafter "Maughan").

Regarding claim 1, Maughan teaches

determining a first control message to be generated, wherein the first control

message corresponds to a security protocol control message (page 1, 4-22);

identifying reason information relating to at least one reason for generating the

first control message (pages 40-44); and

generating the first control message, the first control message includes explicit

reason information relating to the identified at least one reason for generating the

control message (pages 40-56).

Regarding claim 7, Maughan teaches

receiving a first control message from a first node, the first control message

corresponding to a security protocol control message, the first control message

including explicit reason information relating to at least one reason for the generation of

the first control message (pages 58-65);

identifying the reason information (pages 58-65);

determining an appropriate response to the first control message using at least

said reason information (pages 58-73); and

implementing said appropriate response (pages 58-73).

Regarding claim 14, Maughan teaches

a computer usable medium having computer readable code embodied therein,

the computer readable code comprising: computer code for determining a first control

message to be generated, wherein the first control message corresponds to a security

protocol control message (page 1, 4-22);

computer code for identifying reason information relating to at least one reason

for generating the first control message (pages 40-44); and

computer code for generating the first control message, the first control message

includes explicit reason information relating to the identified at least one reason for

generating the control message (pages 40-56).

Regarding claim 19, Maughan teaches

a computer usable medium having computer readable code embodied therein,

the computer readable code comprising: computer code for receiving a first control

message from a first node, the first control message corresponding to a security

protocol control message, the first control message including explicit reason information

relating to at least one reason for the generation of the first control message (pages 58-

65);

computer code for identifying the reason information (pages 58-65);

computer code for determining an appropriate response to the first control

message using at least said reason information (pages 58-73); and

computer code for implementing said appropriate response (pages 58-73).

Regarding claim 26, Maughan teaches

means for receiving a first control message from a first node, the first control

message corresponding to a security protocol control message, the first control

message including explicit reason information relating to at least one reason for the

generation of the first control message (pages 58-65);

means for identifying the reason information (pages 58-65);

means for determining an appropriate response to the first control message

using at least said reason information (pages 58-73); and

means for implementing said appropriate response (pages 58-73).

Regarding claim 34, Maughan teaches

at least one CPU; memory; and at least one interface for communicating with the

network device (pages 1, 11-18, 23-24);

the system being configured or designed to determine a first control message to

be generated, wherein the first control message corresponds to a security protocol

control message (page 1, 4-22);

the system being further configured or designed to identify reason information

relating to at least one reason for generating the first control message (pages 40-44);

and

the system being further configured or designed to generate the first control

message, wherein the first control message includes explicit reason information relating

to the identified at least one reason for generating the control message (pages 40-56).

Regarding claim 40, Maughan teaches

at least one CPU; memory; and at least one interface for communicating with at

least one network device (pages 1, 11-18, 23-24), wherein the first control message

corresponds to a security protocol control message;

the system being configured or designed to receive a first control message from

a first node, the control message including explicit reason information relating to at least

one reason for the generation of the first control message (pages 58-65);

the system being further configured or designed to identify the reason information

(pages 58-65);

the system being further configured or desired to determine an appropriate

response to the first control message using at least said reason information (pages 58-

73); and

the system being further configured or designed to implement said appropriate

response (pages 58-73).

Regarding claims 3, 9, 16, 21, 28, 36, and 42, Maughan teaches wherein the

first control message corresponds to an IP Security protocol control message (pages 1,

4-30).

Regarding claims 4, 10, 17, 22, 29, 37, and 43, Maughan teaches wherein the first control message corresponds to an Internet Security Association Key Management Protocol control message (pages 1-86).

Regarding claims 5, 11, 18, 23, 30, 38, and 44, Maughan teaches wherein the first control message corresponds to a control message used for modifying a security association (pages 40-54).

Regarding claims 6, 31, and 39, Maughan teaches transmitting the first control message to the second network device to thereby cause the second network device to implement an appropriate action in response to the first control message (pages 40-73).

Regarding claims 12, 24, 32, and 45, Maughan teaches implementing a first response to the first control message if the reason information includes a first reason code; and implementing a second response to the control message if the reason information includes a second reason code (pages 40-73).

Regarding claims 13, 25, and 33, Maughan teaches wherein the control message relates to an action to be performed at a network device receiving the control message (pages 58-73).

Claim Rejections - 35 USC § 103

9.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

10.   Claims 2, 8, 15, 20, 27, 35, and 41 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Maughan.

    Regarding claims 2, 8, 15, 20, 27, 35, and 41, Maughan does not expressly

disclose wherein the first control message corresponds to an Internet Key Exchange

protocol control message. However, Maughan teaches using security protocols for

secure communications between nodes in a network (pages 1, 4-30). Therefore, it

would have been obvious to one having ordinary skill in the art at the time the invention

was made to apply the teachings of Maughan to the Internet Key Exchange. One of

ordinary skill in the art would have been motivated to do so to establish and maintain

secure communications (pages 1, 4-30).

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

12.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DGC

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